

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Michael Dean GATTEN

Application Number: 10/622,705

Filed: July 21, 2003

For: SWADDLING BLANKET

Art Unit:

Examiner:

Attorney Docket Number: 0108

INFORMATION DISCLOSURE STATEMENT

Honorable Commissioner of Patents and Trademarks P.O. Box 1450 Alexandria, VA 22312-1450

Sir:

Attached hereto are Form PTO/SB/08A and Form PTO/SB/08B, each listing documents believed relevant to the subject application. The applicant respectfully requests that the examiner consider these documents and return an initialed copy of each form to the undersigned.

A copy of each listed document is enclosed. Some of the documents may have markings thereon. The applicant does not intend that any significance be attached to these markings. These documents are not necessarily analogous art.

The applicant believes that this disclosure complies with the requirements of 37 C.F.R. §§ 1.56, 1.97, and 1.98, and the Manual of Patent Examining Procedure § 609. If for some reason the examiner believes otherwise, the applicant respectfully requests that the undersigned be contacted so that any deficiencies can be remedied. This disclosure

statement should not be construed as a representation that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists.

Most of the citations provided on Form PTO/SB/08B are to web pages previously located by the inventor. Although the applicant has attempted to provide all requested citation information, the authors, titles, and publication dates of certain references could not be obtained. In the case of reference AR, the URL provided on Form PTO/SB/08B is the most current available prior to the filing date of this IDS.

The invention was first made known to the public on August 8, 2002, when the inventor sent evaluation samples to a magazine publisher.

Respectfully submitted,

Bu E. Cen

Bruce E. Weir

Registration No. 48,191

Date: October 20, 2003

Bruce E. Weir Attorney at Law 12 Sparrow Valley Court Montgomery Village, MD 20886 Telephone: (301) 977-6009

Facsimile: (301) 977-6009 E-mail: bweir@bruceweir.com

TRANSM FOR (to be used for all correspon	M dence after initial filing)	U.S. Pais are required to respond to a collect Application Number Filling Date First Named Inventor Art Unit Examiner Name Attorney Docket Number	Approved for use through 08/30/2003. OMB 0651-003 tent and Trademark Office; U.S. DEPARTMENT OF COMMERCE tion of information unless it displays a valid OMB control number. 10/622,705 July 21, 2003 Michael Dean GATTEN
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Fee Transmittal Form Fee Attached Amendment/Reply After Final Affidavits/dec Extension of Time Re Express Abandonmen Information Disclosur Certified Copy of Prio Document(s) Response to Missing Incomplete Applicatio Response to I under 37 CFR	laration(s) equest nt Request e Statement rity Parts/ in Missing Parts	Drawing(s) Licensing-related Papers Petition Petition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence Add Ferminal Disclaimer Request for Refund CD, Number of CD(s)	After Allowance communication to Technology Center (TC) Appeal Communication to Board of Appeals and Interferences Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) Proprietary Information Status Letter Other Enclosure(s) (please Identify below):
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or Individual name Signature Date 2 C I hereby certify that this corres	8,191 — E. Curi CERTIFIC. Spondence is being facsim	ATE OF TRANSMISSIO nile transmitted to the USPTO or ressed to: Commissioner for Pa	N/MAILING or deposited with the United States Postal Service with atents, P.O. Box 1450, Alexandria, VA 22313-1450 on
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PTO/SB/17 (10-03) Approved for use through 07/31/2006. OMB 0651-0032

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$) 8

Complete if Known				
Application Number	10/622,705			
Filing Date	July 21, 2003			
First Named Inventor	Michael Dean GATTEN			
Examiner Name				
Art Unit				
Attorney Docket No.	0108			

METHOD OF PAYMENT (check all that apply) FEE CALCULATION (continued)	
Check Credit card Money Other None 3. ADDITIONAL FEES	
Deposit Account:	
Deposit Fee Fee Fee Fee Fee Description	Fee Paid
Account Number 1051 130 2051 65 Surcharge - late filing fee or oath	T ee Falu
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The Director is authorized to: (check all that apply) Charge fee(s) indicated below Credit any overpayments Credit any overpayments Credit any overpayments Credit any overpayments Credit any overpayments	
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Charge fee(s) indicated below, except for the filing fee 1805 1,840* Requesting publication of SIR after	
to the above-identified deposit account.	
FEE CALCULATION 1251 110 2251 55 Extension for reply within first month	
1. BASIC FILING FEE 1252 420 2252 210 Extension for reply within second month	
Large Entity Small Entity 1253 950 2253 475 Extension for reply within third month	
Fee Fee Fee Fee Description Fee Paid 1254 1,480 2254 740 Extension for reply within fourth month	<u> </u>
1001 770 2001 385 Utility filing fee 1255 2,010 2255 1,005 Extension for reply within fifth month	
1002 340 2002 170 Design filing fee 1401 330 2401 165 Notice of Appeal	
1003 530 2003 265 Plant filing fee 1402 330 2402 165 Filing a brief in support of an appeal	\square
1004 770 2004 385 Reissue filing fee 1403 290 2403 145 Request for oral hearing	\sqcup
1005 160 2005 80 Provisional filing fee 1451 1,510 1451 1,510 Petition to institute a public use proceeding	
SUBTOTAL (1) (\$) 1452 110 2452 55 Petition to revive - unavoidable	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE	
Fee from 1501 1,330 2501 665 Utility issue fee (or reissue)	
Extra Claims below Fee Paid 1502 480 2502 240 Design issue fee Total Claims 20** = X 1503 640 3503 330 Plot incur fee	
Independent 1503 640 2503 320 Plant issue ree	
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1807 50 Processing fee under 37 CFR 1.17(q)	
Large Entity Small Entity Fee Fee Fee Fee Description 1806 180 Submission of Information Disclosure Stmt	180
Code (\$) Code (\$) Code (\$) Code (\$) Code (\$) Code (\$) Code (\$)	
1202 18 2202 9 Claims in excess of 20 1201 86 2201 43 Independent claims in excess of 3 1809 770 2809 385 Filing a submission after final rejection (37 CFR 1.129(a))	
1203 290 2203 145 Multiple dependent claim, if not paid 1810 770 2810 385 For each additional invention to be	
1204 86 2204 43 ** Reissue independent claims over original patent 1801 770 2801 385 Request for Continued Examination (RCE)	
1205 18 2205 9 ** Reissue claims in excess of 20 1802 900 Request for expedited examination of a design application	
SUBTOTAL (2) (\$) Other fee (specify)	<u></u>
**or number previously paid, if greater; For Reissues, see above **Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) [5]	30

SUBMITTED BY

Name (Print/Type)

BRUCE E. WEIR

Registration No. (Attornev/Agent)

Registration No. (Attornev/Agent)

Telephone 301-977-6009

Date

To Octob Cu. 2003

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Sheet 1

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Substitute for form 1449/PTO

(Use as many sheets as necessary)

Complete if Known					
Application Number	10/622,705				
Filing Date	July 21, 2003				
First Named Inventor	Michael Dean GATTEN				
Art Unit					
Examiner Name					
Attorney Docket Number	0108				

	U. S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ^{2 (d known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
<u></u>		US- 6,393,612 B1	05-28-2002	Thach			
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[FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages				
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	T ⁶			
		WO 02/00048 A1	01-03-2002	DE RUYTER					
		WO 02/087369 A1	11-07-2002	GERARD					
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Examiner	Date	-
Signature	Cons	sidered

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Substitute for form 1449/PTO				Complete if Kn wn		
ĺ				Application Number	10/622,705	
1			CLOSURE	Filing Date	July 21, 2003	
STA	STATEMENT BY APPLICANT			First Named Inventor	Michael Dean GATTEN	
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Sheet	1	of	3	Attorney Docket Number	0108	

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
	AA	GERARD, Claudia M., Spontaneous Arousals in Supine Infants While Swaddled and Unswaddled During Rapid Eye Movement and Quiet Sleep, Pediatrics, December 2002, Vol. 110, No. 6.	
	AB Pag	THACH, Bradley Terrill, Causes of Sudden Infant Death Syndrome: Human and Animal Research, Web Page [Online], Washington University in St. Louis. Original publication date unknown [retrieved 9/27/2002]. Retrieved from the Internet. <url: c517b7f273394130862567970055bff2="" ee744c3f0a<="" http:="" ocfr="" research.medicine.wustl.edu="" research.nsf="" td=""><td></td></url:>	
		b9df148625677d005940df?OpenDocument>.	
	AC	GRANT, Ross, Swaddled Infants Sleep Better, Safer, Health Scout News. Web Page [Online], TeachMoreLoveMore website. December 6, 2002. Retrieved from the Internet. <url: articlesdetails.asp?articleid="4525" http:="" www.teachmorelovemore.org="">.</url:>	
	AD	AUTHOR UNKNOWN, Swaddling may cut SIDS risk, Web Page [Online], Babycenter.com website. September 16, 2002, Retrieved from the Internet. <url: 419.html="" http:="" refcap="" www.babycenter.com="">.</url:>	
	AE	GELLER, David, Should I swaddle my baby? Web Page [Online], Babycenter.com website. Original publication date unknown. Retrieved from the Internet. URL: http://www.babycenter.com/expert/10010.html>.	
	AF	LIN-DYKEN, Deborah, What is "swaddling"? What are the pros and cons? Web Page [Online], Original publication date unknown. Retrieved from the Internet. <url: 7660.html="" expert="" http:="" www.babycenter.com="">.</url:>	
	AG	THE BABY CENTER EDITORIAL STAFF, What does it mean to swaddle a baby?, Web Page [Online], Original publication date unknown. [retrieved 9/27/2002], Retrieved from the Internet. <url: 125.html="" baby="" http:="" newborns="" refcap="" www.babycenter.com="">.</url:>	
	АН	KNOSP, Laura K., Neonatal Pain and Touch, Web Page [Online], Original publication date unknown [retrieved 9/30/2002]. Retrieved from the Internet. URL: http://www.nursing.uiowa.edu/sites/PedsPain/Nonpharm/Touchnt.htm>.	
	AJ	AUTHOR UNKNOWN, Swaddling Babies May Reduce Cot Death Risks, Web Page [Online], October 15, 2002. Retrieved from the Internet. <l></l>	

Examiner	Date	
Signature	Considered	

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Substitute for form 1449/PTO				Complete if Known		
Í				Application Number	10/622,705	
1		_	CLOSURE	Filing Date	July 21, 2003	
STA	STATEMENT BY APPLICANT			First Named Inventor	Michael Dean GATTEN	
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(Use as many sheets as necessary)				Examiner Name		
Sheet	2	of	3	Attorney Docket Number	0108	

	0::	NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AK	AUTHOR UNKNOWN, Swaddling May Help Sleeping Babies Remain On Their Backs, Reducing Risk of Sudden Infant Death Syndrome, Web Page [Online], Healthworld Online. December 2, 2002. Retrieved from the Internet. <url: 021202072217.htm="" 12="" 2002="" http:="" releases="" www.sciencedaily.com="">.</url:>	
	AL	AUTHOR UNKNOWN, Swaddling May Help to Prevent SIDS, Web Page [Online], Original publication date unknown [retrieved 9/27/2002]. Retrieved from the Internet. <url: http:="" mrdnw.html="" www.advanceformrc.com="">.</url:>	
	AM	EZELL, Cheryl, SIDS: Sudden and Silent, Web Page [Online], KidsHealth Website. Original publication date unknown [retrieved 12/11/2002]. Retrieved from the Internet. <url: fcrp="" fp="" fp_vol2no1="" http:="" ssw.unc.edu="" sudden_and_silent.htm="">.</url:>	
	AN	SOBELLS, Laura, Comment for Auto-responder calming tips, E-mail response from www.calmbaby.com, November 3, 2002. Retrieved from the Internet. <url: http:="" www.calmbaby.com="">.</url:>	
	AP	AUTHOR UNKNOWN, Doctors at St. Louis Children's Hospital Suggest Swaddling To Prevent SIDS, Web Page [Online], St. Louis Children's Hospital Website. October 10, 2002. Retrieved from the Internet. <url: articles="" http:="" media.asp?id="1028" www.stlouischildrens.org="">.</url:>	
	AQ	TURBO, Richard, Quieting Colic, Web Page [Online], Murphy Sam & Jodi website. Original publication date unknown [retrieved 9/30/2002]. Retrieved from the Internet. <url: content-quietingcolic.htm="" http:="" www.murphysamandjodi.com="">.</url:>	
	AR	AUTHOR UNKNOWN, The Infant Swaddler, Web Page [Online], Comfort Silkie Store website. Original publication date unknown [retrieved 12/11/2002], Retrieved from the Internet. <url: comfortsilkie.htm="" http:="" www.newcenturystyle.com="">.</url:>	
	AS	AUTHOR UNKNOWN, NAME UNKNOWN, Web Page [Online], Image of swaddling garment. Original publication date unknown [retrieved 10/9/2002], Retrieved from the Internet. <url: 164.jpg="" alpdev.com="" http:="" images="" store="" store9="">.</url:>	
	AT	AUTHOR UNKNOWN, NAME UNKNOWN, Web Page [Online], Image of swaddling garment. Original publication date unknown [retrieved 10/9/2002], Retrieved from the Internet. <url: bd.htm="" eng="" http:="" product="" www.felogroup.com="">.</url:>	
	AU	AUTHOR UNKNOWN, CuddleBug Cloverleaf Blankets, Web Page [Online], Sweet Pea Company website. Original publication date unknown [retrieved 10/9/2002], Retrieved from the Internet. <url: blankets.html="" cloverleaf="" html="" http:="" www.sweetpeacompany.com="">.</url:>	

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Signature	Considered	

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Examiner	Cite	NON PATENT LITERATURE DOCUMENTS Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of	
Initials*	No. ¹	the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
	AV	AUTHOR UNKNOWN, Shop the Shops Online: Kidstuff: Infants and Toddlers, Web Page [Online], Shop the Shops website. Original publication date unknown [retrieved 10/9/2002], Retrieved from the Internet. <url: http:="" ksi="" newbburp.asp="" www.shoptheshops.com?deptsub="">.</url:>	
	AW	AUTHOR UNKNOWN, Silkie Swaddling Blanket, Web Page [Online], SilkieSmoother website. Original publication date unknown [retrieved 10/9/2002], Retrieved from the Internet. <url: blanket.html="" http:="" silkieswaddling="" www.silkiesmoother.com="">.</url:>	
	AX	AUTHOR UNKNOWN, Cozy Swaddling Wrap, Web Page [Online], Image of swaddling garment. Original publication date unknown [retrieved 10/9/2002], Retrieved from the Internet. <url: http:="" kozy="" wraps.html="" www.kozykidscompany.com="">.</url:>	
	AY	AUTHOR UNKNOWN, Swaddleme Blanket, Web Page [Online], Image of swaddling garment. Original publication date unknown [retrieved 10/9/2002], Retrieved from the Internet. <url: blanketswaddleopen.jpg.="" http:="" www.greatbabyproducts.com="">.</url:>	
	AZ	AUTHOR UNKNOWN, Huggabebe, Web Page [Online]. Original publication date unknown [retrieved 4/30/2002], Retrieved from the Internet. <url: http:="" www.huggabebe.com="">.</url:>	
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Examiner	Date	
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